

## Article - Public Utilities

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§9–303.

(a) (1) Except as provided in paragraph (2) of this subsection, a Maryland railroad company may locate, construct, maintain, and operate a railroad in the State if the railroad is not more than 100 feet wide at the graded surface.

(2) A railroad may be wider than 100 feet if the Maryland railroad company determines that it is necessary for:

- (i) cuts and fills for a slope or embankment;
- (ii) multiple sets of tracks; or
- (iii) sidetracks, turnouts, depots, buildings, and other works connected with the operation of the railroad.

(b) (1) A Maryland railroad company may acquire land and other property that it determines is convenient or necessary for the site of the railroad or for additions to the railroad by:

- (i) purchase, either in fee simple or any lesser estate, in accordance with law; or
- (ii) condemnation under Title 5, Subtitle 4 of this article and Title 12 of the Real Property Article.

(2) A Maryland railroad company may acquire by purchase or gift lands near the railroad that it determines are necessary to secure the right-of-way or aid in the construction of the railroad.

(c) (1) Land that a Maryland railroad company acquires may be held or conveyed as determined by the board of directors of the Maryland railroad company.

(2) Deeds and conveyances made by a Maryland railroad company shall be signed by the president of the company under its corporate seal.

(d) This section does not authorize a Maryland railroad company to condemn, use, or occupy any part of a highway, including the space under or over a highway, without the consent of the proper authorities of the municipal corporation or county where the highway is located.

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